

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

RMA STRATEGIC OPPORTUNITY
FUND, LLC,
Debtor.

CHAPTER 7
CASE NO. 17-13328-FJB

MARK G. DEGIACOMO, CHAPTER 7
TRUSTEE FOR THE ESTATE OF RMA
STRATEGIC OPPORTUNITY
FUND, LLC,

Plaintiff,

v.

18-01019-FJB

RAYMOND K. MONTOYA, ROSS P.
MONTOYA, ALMA U. MONTOYA, RYAN J.
MONTOYA, RESOURCE MANAGED
ASSETS, LLC, RESEARCH MAGNATE
ADVISORS, LLC and RMA GROUP, INC.,

Defendants,

CENTURY BANK AND TRUST COMPANY
and SANTANDER BANK, N.A.

Trustee Process
Defendants.

**PRELIMINARY INJUNCTION AGAINST
RAYMOND K. MONTOYA AND ALMA U. MONTOYA**

Upon consideration of the Plaintiff's Expedited Motion for Issuance of Preliminary Injunction filed by Mark G. DeGiacomo, the duly appointed Chapter 7 Trustee of the bankruptcy estate of RMA Strategic Opportunity Fund, LLC (the "Debtor") and plaintiff in the above captioned adversary proceeding (the "Trustee"), after notice, for cause shown, the Court determines that:

1. The Trustee has a substantial likelihood of success on the merits of his claims against Raymond K. Montoya (“Raymond”) and Alma Montoya (“Alma”).

2. In furtherance of Raymond’s efforts to cooperate with the Trustee’s investigation and recovery efforts on behalf of the Debtor’s estate, Raymond and Alma agree to the relief contained herein.

3. The balance of the hardships and public interest favor granting the relief provided for herein.

IT IS HEREBY ORDERED AND DECREED THAT:

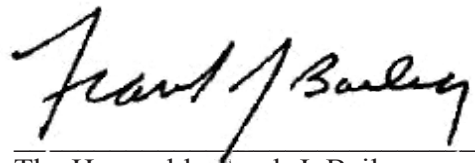
1. Each of Raymond and Alma and their agents, attorneys and/or representatives who receive notice of this injunction, are enjoined from conveying, transferring, assigning, pledging, encumbering, liquidating or dissipating any money, property or assets, except for ordinary, reasonable and necessary living expenses.

2. Notwithstanding the forgoing, nothing contained in this preliminary injunction shall prohibit Raymond and Alma from obtaining and using – for reasonable, usual and necessary living expenses – their monthly social security benefit payments of \$1,100 each, or Alma’s unemployment assistance benefits of \$270 per week.

3. This Order shall remain in full force and effect until such time as this Court specifically orders otherwise.

ENTERED in Boston, Massachusetts.

Dated: _____



The Honorable Frank J. Bailey
United States Bankruptcy Judge

02/20/2018